

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IN RE: JOHNSON & JOHNSON TALCUM  
POWDER PRODUCTS MARKETING,  
SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION

MDL Docket No. 2738

Civil Action No. 16-2738 (MAS) (RLS)

**ORDER**

**THIS MATTER** having come before the Court upon its review of the April 8, 2025 joint case status letter (ECF No. 33587), which the Court required in its April 1, 2025 text order (ECF No. 33427), and the Court having considered the joint case status letter, and for good cause shown,

**IT IS** on this 15th day of April, 2025, **ORDERED** that:

1. The Undersigned shall address<sup>1</sup> the following motions/issues/disputes:
  - a. Defendants' objection to the Special Master's July 1, 2024 Order regarding the inspection of Dr. Longo's Lab (ECF No. 32872).
  - b. Defendants' objection to the Special Master's August 20, 2024 Order regarding compelling Mr. Hess to answer deposition questions (ECF No. 33106).
  - c. Defendants' motion for Summary Judgment (ECF No. 33142).
  - d. Defendants' objections to the Special Master's Decision on PSC's Motion to Amend Master Complaint (ECF No. 28992).<sup>2</sup>
  - e. Plaintiffs' Rule 702 Motions<sup>3</sup>

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<sup>1</sup> The Undersigned will address the motions/issues/disputes in the order it deems appropriate.

<sup>2</sup> The Undersigned will also address the following motions that are not listed in the main docket of this action: (1) Defendants' omnibus motion for Summary Judgment in *Hill* (18-8344) and *Williams* (19-18778); (2) Defendants' Motion to Dismiss Class Action Complaint in *Love* (No. 24-6320); and (3) Defendants' Motion to Dismiss Complaint in *Bynum* (No. 24-7065).

<sup>3</sup> Following review, the Court will advise the parties regarding whether it will schedule hearings as to any of the motions.

- Exclude opinions of Drs. Poulton & Webb (ECF No. 32996).
  - Exclude opinions of Dr. Sutcliffe (ECF No. 32998).
  - Exclude opinions of Drs. Finan, Saenz and Holcomb (ECF No. 32998).
  - Exclude opinions of Dr. Permuth (ECF No. 33301).
  - Exclude opinions of Drs. Longacre and Felix (ECF No. 33302).
  - Exclude opinions of Drs. Sanchez, Wylie & Su (ECF No. 33006).
  - Exclude opinions of Dr. DiFeo (ECF No. 33010).
  - Exclude opinions of Dr. Kornak (ECF No. 33011).
  - Exclude opinions of Dr. Boyd (ECF No. 33060).
- f. Defendants' Rule 702 Motions<sup>4</sup>
- Exclude opinions of Dr. Clarke-Pearson with respect to Rausa, Converse & Newsome (ECF No. 33007).
  - Exclude opinions of Dr. Wolf with respect to Bondurant, Gallardo and Judkins (ECF No. 33003).
  - Exclude opinions of Drs. Kessler, Plunkett, Sage and Newman (ECF No. 33000).
  - Exclude opinions of Dr. Godleski (Moving ECF No. 33004).
  - Exclude opinions of Plaintiffs' experts regarding alleged heavy metals and fragrances (ECF No. 33005).
  - Exclude Plaintiffs' experts' general causation opinions (ECF No. 33008).
  - Strike Plaintiffs' supplemental brief (ECF No. 33291).
  - Exclude Plaintiffs' experts' opinions regarding biological plausibility/mechanism (Moving ECF No. 33013).

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<sup>4</sup> Following review, the Court will advise the parties regarding whether it will schedule hearings as to any of the motions.

- Exclude Plaintiffs' experts' asbestos-related opinions (Moving ECF No. 33012).
2. The Honorable Rukhsanah L. Singh, U.S.M.J., shall address<sup>5</sup> the following motions/issues/disputes:
    - a. Defendants' Motion to Remove Beasley Allen from the PSC.<sup>6</sup>
    - b. Defendants' Motion to Disqualify Beasley Allen and Andy Birchfeld.
    - c. Defendants' Motion to Strike Expert Report of Dr. Elizabeth Stuart (ECF No. 33038).
    - d. PSC's Motion to Compel Defendants to Produce Invoices for all Expert Work Relating to Talc Claims (ECF No. 33052).
    - e. Issues related to Plaintiffs' Subpoena to Analysis Group, LLC.
    - f. PPF OTSCs.
    - g. CMO Notices.
  3. The Special Master, the Honorable Joel Schneider (ret.), shall address<sup>7</sup> the following motions/issues/disputes:
    - a. PSC's Motion to Establish a Consensus.
    - b. Defendants' Request to Establish a Procedure for Addressing Thousands of Unsupported Claims.
    - c. Any issues related to Plaintiffs' Subpoena to the Public Library of Science.
  4. The Court refers the dispute underlying Defendants' Objections to Special Master's Order (ECF No. 32987) to the Special Master for consideration of whether supplemental briefing related to the Texas bankruptcy proceeding is required.<sup>8</sup>

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<sup>5</sup> Judge Singh shall address the motions/issues/disputes in the order she deems appropriate.

<sup>6</sup> As such, Judge Singh will handle any request(s) for additional briefing.

<sup>7</sup> Judge Schneider (ret.) shall address the motions/issues/disputes in the order he deems appropriate.

<sup>8</sup> If the Special Master determines that supplemental briefing is required, he shall administratively terminate the Motion Objecting to the Order pending his consideration of the supplemental briefing.

5. The parties may not file any new dispositive motions as the Court endeavors to resolve the currently-pending motions.<sup>9</sup>
6. The parties may continue to file routine and consent motions/applications.<sup>10</sup>
7. This matter is scheduled for an in-person status conference on **June 17, 2025 at 2:00 p.m.** in Courtroom 5W.<sup>11</sup>

s/ Michael A. Shipp  
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**MICHAEL A. SHIPP**  
**UNITED STATES DISTRICT JUDGE**

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<sup>9</sup> The Court will entertain new dispositive motion requests (if any) in conjunction with its next status conference.

<sup>10</sup> For example, the parties may continue to file Unopposed Motions to Substitute Named Plaintiff and/or Substitute Counsel, Notices of Voluntary Dismissal, Stipulations of Dismissal, and other routine motions/applications.

<sup>11</sup> The Court will address all remaining outstanding issues at the joint case status conference. This includes setting a date for and establishing the parameters of the first bellwether trial.